

II.

F. MOTIONS TO COMPEL: A motion to compel must include a statement by the movant that the parties have conferred in good faith in an attempt to resolve the dispute and are unable to do so. Consistent with the spirit, purpose, and explicit directives of the Federal Rules of Civil Procedure and the Local Rules of the Western District of North Carolina, the Court expects all parties (and counsel) to attempt in good faith to resolve discovery disputes without the necessity of Court intervention. Failure to do so may result in appropriate sanctions.

An examination of Defendant's Motion to Compel shows that Defendant has not shown that counsel has attempted to confer regarding Defendant's motion. Defendant does discuss several emails concerning discovery, but there is never a clear indication that Defendant's counsel has contacted Plaintiff's counsel and advise them specifically that the Motion to Compel would be filed and that they have attempted to confer in good faith to resolve the areas of disagreement as required by Local Rules and by Judge Conrad's Pretrial Order and Case Management Plan.

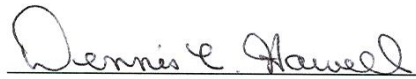
An examination of the motion further shows that Defendant has not filed a brief in support of the motion. Defendant does have a portion of its motion delineated as "Law and Argument" but that does not satisfy the requirement of a separate brief as set forth by Local Rule 7.1(C).

For the above reasons, Defendant's Motion to Compel will be denied without prejudice.

ORDER

IT IS, THEREFORE, ORDERED that Defendant's Motion to Compel (#11) is **DENIED** for the foregoing reasons without prejudice.

Signed: June 28, 2017

_____

Dennis L. Howell
United States Magistrate Judge

